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FACSIMILE TRANSMISSION TO THE U.S. PATENT AND TRADEMARK OFFICE

PLEASE DELIVER TO ATTN: Examiner Gitomer, R.

Concerning the following application:

ATTORNEY DOCKET NO.: 14098/1013

Application of:

Edberg, Stephen C.

Serial No .:

10/036,289

Filed:

October 24, 2001

Entitled:

Method of Detecting a Microbe in

a Liquid Water Sample

Examiner:

Gitomer, R.

Group Art Unit:

1651

Conf. No.:

4480

Facsimile No.: 703-872-9306

Number of pages including cover sheet: 3 Transmitted herewith: Terminal Disclaimer

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I hereby certify that the paper identified above is being facsimile transmitted to the U.S. Patent and Trademark Office, on the date indicated below.

Date: Mar

March 2, 2004

Name: Katheen Williams Registration No.: 34,380 Customer No.: 29933 Palmer & Dodge LLP 111 Huntington Avenue

Boston, MA 02199-7613 Tel: 617-239-0100 Atty. Docket No.:

14098/1013

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.6d

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Kathleen Williams

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Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Stephen C. Edberg, as owner of 100 percent interest in the above-noted application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C.§154 to §156 and § 173 as shortened by any terminal disclaimer of U.S. Patent No. 4,925,789. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C.§154 to §156 and § 173 of the prior patent, as shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a

Serial No.: 10/036,289

reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

It is believed that a fee of \$110.00 is due. The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference 14098/1013.

Date:

March 2, 2004

Respectfully submitted,

Name: Kathlesn Williams Registration No.: 34,380 Customer No.: 29933 Palmer & Dodge LLP 111 Huntington Avenue Boston, MA 02199-7613 Tel: 617-239-0100